

I. Remarks

Reconsideration and allowance of the subject application are respectfully requested.

Claims 34-65 and 67-76 are pending in the application. Claims 34, 44, 60, 65 are independent.

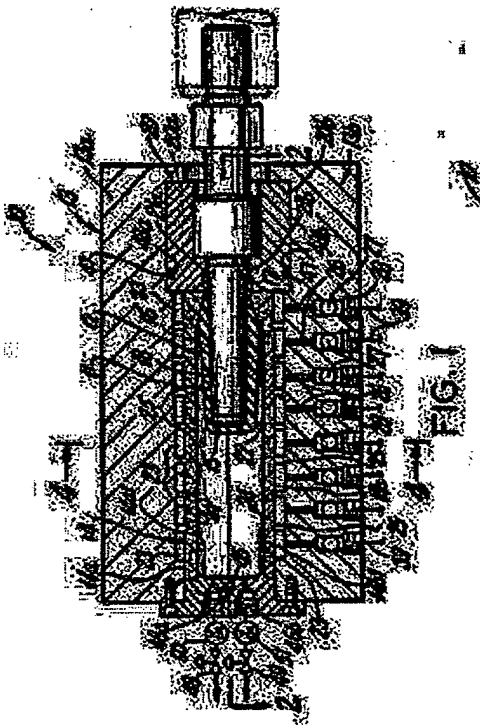
Applicant gratefully acknowledges that Claims 34-43, 60-65, 67-69, 70 (as it depends from Claims 65 and 67-69), and 71-76 are allowed.

Claims 44-47 and 50 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 12-14 of U.S. Patent No. 6,951,453, for the reasons discussed on page 2 of the Office Action. Applicant respectfully traverses all such rejections on the ground that the claims of the subject application are believed to be patentably distinct from the enumerated claims of the '453 Patent. Nevertheless, solely to rapidly advance this case to issue without prejudice or disclaimer, Applicant submits herewith a terminal Disclaimer to obviate the rejection.

Claims 44-50, 52, 57, 58, and 70 (as it depends from Claims 44-50, 52, 57, and 58) stand rejected as being unpatentable over Farrell, or the reasons discussed on page 3 of the Office Action. Applicant respectfully traverses all art rejections.

In the Office Action, the Examiner states: "The language that "the insert having a surface defining a cavity that is configured to substantially correspond to the length of an external portion of the preform received therein" is intended use. The mold of Farrell is capable of reshaping a preform having a length that substantially corresponds to the length of the cavity of the porous insert." Applicant respectfully asserts that the "configured to" language clearly recites that the claimed structure is limited to those structures wherein the

surface defining the cavity substantially corresponds to the length of an external portion of the preform received therein. This is NOT the case with Farrell, in which a mold having a sintered metal insert defines a cavity that is substantially longer than the external portion of the preform to be received therein, see Figure 1, reproduced below.



In Farrell, if the surface defining the cavity substantially corresponds to the length of an external portion of the preform received therein, the Farrell method and apparatus will not work. Therefore, not only does Farrell not teach the claimed subject matter, but it actually teaches away from the pending claims.

In view of the above, it is believed that this application is now in condition for allowance, and a Notice thereof is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3507. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Richard P. Bauer/
Attorney for Applicant
Richard P. Bauer
Registration No. 31,588

PATENT ADMINISTRATOR
KATTEN MUCHIN ROSENMAN LLP
2900 K Street NW
Suite 200
Washington, D.C. 2007
Facsimile: (202) 298-7570